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May 22, 2018

Via Electronic Filing

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, SC 29210

RE: SolAmerica SC, LLC and Edgefield County S1, LLC1 - Request for
Modification of an Interconnection Agreement for Solar Project located in
Edgefield County, South Carolina
Docket Number 2018-163-E

Dear Ms. Boyd:

South Carolina Coastal Conservation League (CCL) submits the following brief comments in this proceeding for the Commission's consideration. CCL does not seek to intervene or comment on the merits of SolAmerica's claims. However, CCL has an interest in the Commission's ability and authority to oversee interconnection-related disputes and submits the following input for the Commission's consideration.

CCL was a stakeholder in the meetings convened by the Office of Regulatory Staff to develop South Carolina's statewide interconnection standards in 2014-2015. CCL has also been an active participant in the interconnection standards docket, Commission Docket No. 2015-362-E, since its inception.

The Commission ultimately approved the South Carolina Generator Interconnection Procedures (SCGIP) and Interconnection Agreement (IA) in Order Number 2016-191. The SCGIP and IA include several provisions related to the Commission's authority to oversee interconnection-related disputes. These include the following:

- **Interconnection Agreement Article 10. Disputes:**
 - 10.1 The Parties agree to attempt to resolve all disputes arising out of the interconnection process according to the provisions of this Article.
 - 10.2 In the event of a dispute, either Party shall provide the other Party with a written notice of dispute. Such notice shall describe in detail the nature of the dispute.

10.3 If the dispute has not been resolved within 20 Business Days after receipt of the notice, either Party may contact the Office of Regulatory Staff for assistance in informally resolving the dispute. If the Parties are unable to informally resolve the dispute, *either Party may then file a formal complaint with the Commission.*

10.4 Each Party agrees to conduct all negotiations in good faith.

- **Interconnection Agreement Article 12.12:** Reservation of Rights language says “[t]he Utility shall have the right to make a unilateral filing with the Commission to modify this Agreement with respect to any rates, terms and conditions, charges, or classifications of service, and the *Interconnection Customer shall have the right to make a unilateral filing with the Commission to modify this Agreement*; provided that each Party shall have the right to protest any such filing by the other Party and to participate fully in any proceeding before the Commission in which such modifications may be considered. Nothing in this Agreement shall limit the rights of the Parties except to the extent that the Parties otherwise agree as provided herein.
- **SC Facilities Study Agreement paragraph 19:** same reservation of rights language as in IA 12.12.

Beyond these specific interconnection provisions, the Commission has broad authority to determine interconnection-related disputes under the South Carolina general statutes. S.C. Code Ann. Section 58-3-140 provides the Commission the authority to supervise and regulate public utilities, including rates and services, and “to fix just and reasonable standards, classifications, regulations, practices, and measurements of service to be furnished, imposed, or observed, and followed by every public utility in this State.” This oversight is reiterated specifically for electrical utilities in S.C. Code An. Section 58-27-140. Code Section 58-27-230 further states that “[t]he enumeration of powers of the commission as herein set forth shall not be construed to exclude the exercise of any power which the Commission would otherwise have under the provisions of law.” Finally, Code Section 58-27-980 establishes Commission oversight for contracts entered into by electrical utilities.

CCL has an interest in upholding interconnection standards and policies that will best support development of an effective and diversified portfolio of distributed energy resources and lead to cleaner, safer, and healthier communities for all South Carolinians. A clear and consistent forum for interconnection-related dispute resolution will further that goal. Thus, CCL encourages the Commission to exercise its authority under the approved SCGIP and IA and hear the dispute between SolAmerica and South Carolina Electric and Gas Company in the above-captioned proceeding.

Please contact me if you have any questions concerning this filing.

Sincerely,

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CC: Parties of Record